

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

DONALD C SCHOLOFF,

Defendant.

Case No. CR20-153 JLR

DETENTION ORDER

Offenses charged:

Count 1: Possession of Controlled Substances with Intent to Distribute – 21 U.S.C.

§§ 841(a)(1), 841(b)(1)(A), 841(b)(1)(B) and 841(b)(1)(C) and 18 U.S.C. § 2.

Count 2: Possession of a Firearm in Furtherance of a Drug Trafficking Crime – 18

U.S.C. § 924(c)(1)(A) and 2.

Count 3: Felon in Possession of a Firearm – 18 U.S.C. § 922(g)(1) and 2.

Date of Detention Hearing: On September 24, 2020, the Court held a hearing via a WebEx videoconference, with the consent of Defendant appearing by telephone, due to the exigent circumstances as outlined in General Order 08-20. This detention order is without prejudice to renewing once the court has reconstituted in-person hearings.]

1 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and
2 based upon the reasons for detention hereafter set forth, finds:

3 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

- 4 1. There is therefore a rebuttable presumption of detention pursuant to 18 U.S.C. §
5 3142(e).
- 6 2. Defendant is being held on another matter. Defendant therefore stipulated to
7 detention.
- 8 3. Defendant poses a risk of nonappearance due to substance abuse history, criminal
9 history, including criminal conduct while under supervision. Defendant poses a risk
10 of danger due to the nature of the offense charged, his past criminal history, and
11 pattern of similar criminal activity. Based on these findings, and for the reasons
12 stated on the record, there does not appear to be any condition or combination of
13 conditions that will reasonably assure the Defendant's appearance at future court
14 hearings while addressing the danger to other persons or the community.
- 15 4. Taken as a whole, the record does not effectively rebut the presumption that no
16 condition or combination of conditions will reasonably assure the appearance of the
17 Defendant as required and the safety of the community.

18 IT IS THEREFORE ORDERED:

- 19 (1) Defendant shall be detained pending trial, and committed to the custody of the
20 Attorney General for confinement in a correction facility separate, to the extent
21 practicable, from persons awaiting or serving sentences or being held in custody
22 pending appeal;
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- 1 (2) Defendant shall be afforded reasonable opportunity for private consultation with
2 counsel;
- 3 (3) On order of a court of the United States or on request of an attorney for the
4 government, the person in charge of the corrections facility in which Defendant is
5 confined shall deliver the defendant to a United States Marshal for the purpose of
6 an appearance in connection with a court proceeding; and
- 7 (4) The Clerk shall direct copies of this Order to counsel for the United States, to
8 counsel for the Defendant, to the United States Marshal, and to the United States
9 Pretrial Services Officer.

10 Dated this 28th day of September, 2020.

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13 MICHELLE L. PETERSON
14 United States Magistrate Judge
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